

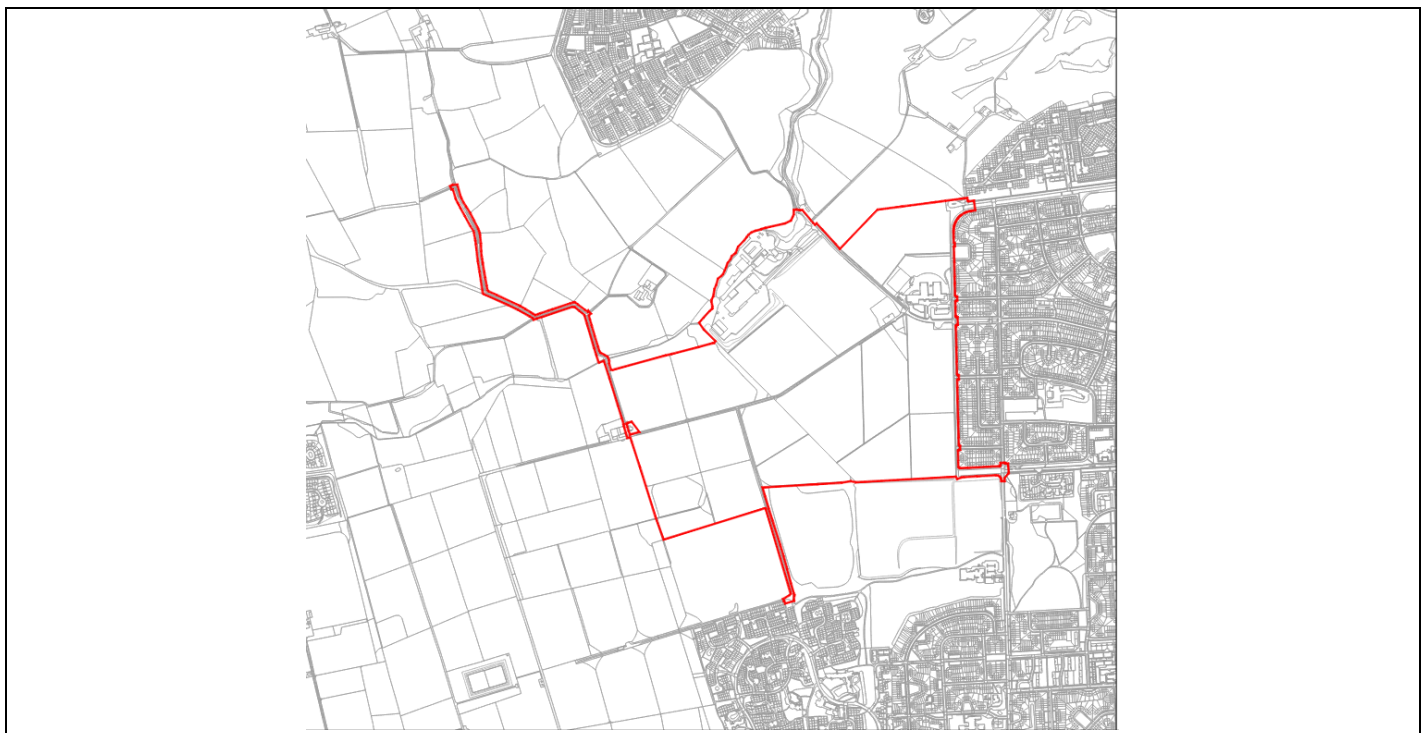


Pre-Application Forum

Report by Development Management Manager

Meeting Date: 25th August 2022

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|---------------------------------|---|
| Site Address: | Land At Greenferns, LDP Sites OP33 And OP28, Newhills, Aberdeen |
| Description of Proposal: | Major residential led, mixed-use development of c. 1,650 homes comprising retail and commercial provision, leisure and community uses and associated infrastructure including access roads, landscaping and engineering works |
| Notice Ref: | 220610/PAN |
| Notice Type: | Proposal of Application Notice |
| Notice Date: | 13 May 2022 |
| Applicant: | Aberdeen City Council |
| Ward: | Kingswells/Sheddocksley/Summerhill |
| Community Council: | Northfield |
| Case Officer: | Gavin Clark |



RECOMMENDATION

It is recommended that the Forum –

- note the key issues identified;
- if necessary seek clarification on any particular matters; and
- identify relevant issues which they would like the applicants to consider and address in any future application.

BACKGROUND

Site Description

The application site extends to approximately 79.9 hectares and is located on the western edge of Aberdeen, to the west of the established residential area of Northfield and south of the Bucks Burn. The application site is identified within the adopted Aberdeen Local Development Plan 2017 as Opportunity Sites OP28 and 33 for around 1470 homes and 10 hectares of employment land. OP28 at the edge of Northfield comprises recent development including the Heathryburn and Orchard Brae Schools. The Enermech commercial site lies within the allocation at the northern edge.

Relevant Planning History

A Screening Opinion (Ref: 220427/ESC) was submitted on the 31st March 2022 in relation to a proposed residential-led mixed use development including approximately 1650 homes, employment use, neighbourhood centre comprising local retail and commercial provision, leisure and community uses and associated infrastructure including new and upgraded access roads, landscaping, open space and engineering works. The Planning Service responded to this request on the 14th April 2022 advising that an Environmental Impact Assessment (EIA Report) would be required to accompany any future planning application for the site.

A Scoping Opinion (Ref: 220478/ESP) was also submitted on the 31st March 2022 in relation to the above proposals. The Planning Service responded to this on the 10th May 2022 advising on the level of information which would be required to be submitted with an EIA Report.

DESCRIPTION

Description of Proposal

The proposal relates to a major residential led, mixed-use development of c. 1,650 homes comprising retail and commercial provision, leisure and community uses and associated infrastructure including access roads, landscaping and engineering works.

MATERIAL CONSIDERATIONS

Legislative Requirements

Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that where, in making any determination under the planning acts, regard is to be had to the provisions of the Development Plan and that determination shall be made in accordance with the plan, so far as material to the application unless material considerations indicate otherwise.

National Planning Policy and Guidance

- Scottish Planning Policy (SPP)
- National Planning Framework 3 (NPF3)

Development Plan

Aberdeen City and Shire Strategic Development Plan (2020)

The current Strategic Development Plan for Aberdeen City and Shire was approved by Scottish Ministers in September 2020 and forms the strategic component of the Development Plan.

Aberdeen Local Development Plan (2017)

Section 16 (1)(a)(ii) of the Town and Country Planning (Scotland) Act 1997 requires that, where there is a current local development plan, a proposed local development plan must be submitted to Scottish Ministers within 5 years after the date on which the current plan was approved. From 21 January 2022, the extant local development plan will be beyond this 5-year period. The

Proposed Aberdeen Local Development Plan 2020 has been submitted to the Planning & Environmental Appeals Division at the Scottish Government in July 2021. The formal examination in public of the Proposed Local Development Plan 2020 has commenced with reporters appointed. Material consideration will be given to the Proposed Local Development Plan 2020, in the context of the progress of its examination, in the assessment of planning applications.

Given the extant local development plan is beyond its five-year review period consideration, where relevant, weight should be given to paragraph 33 of the Scottish Planning Policy (2014) which states: "Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in favour of development that contributes to sustainable development will be a significant material consideration."

The following policies are relevant:

- Policy LR1: Land Release Policy
- Policy LR2: Delivery of Mixed-Use Communities
- OP28 and OP33: Greenferns
- Policy D1: Quality Placemaking by Design
- Policy D2: Landscape
- Policy I1: Infrastructure Delivery and Developer Obligations
- Policy T2: Managing the Transport Impact of Development
- Policy T3: Sustainable and Active Travel
- Policy T5: Noise
- Policy B4: Aberdeen Airport
- Policy H1: Residential Areas
- Policy H3: Density
- Policy H4: Housing Mix
- Policy H5: Affordable Housing
- Policy NE1: Green Space Network
- Policy NE2: Green Belt
- Policy NE4: Open Space Provision in New Development
- Policy NE5: Trees and Woodlands
- Policy NE6: Flooding, Drainage and Water Quality
- Policy NE8: Natural Heritage
- Policy NE9: Access and Informal Recreation
- Policy R2: Degraded and Contaminated Land
- Policy R6: Waste Management Requirements for New Developments
- Policy R7: Low and Zero Carbon Buildings, and Water Efficiency
- Policy CI1: Digital Infrastructure

Supplementary Guidance

- Landscape
- Planning Obligations
- Affordable Housing
- Transport and Accessibility
- Air Quality
- Noise
- Natural Heritage
- Trees and Woodlands
- Flooding, Drainage and Water Quality
- Green Space Network and Open Space
- Resources for New Development
- Newhills Development Framework

Proposed Aberdeen Local Development Plan (2020)

The Proposed Aberdeen Local Development Plan (Proposed ALDP) was approved at the Council meeting of 2 March 2020. A period of representation in public was undertaken from May to August 2020 and the Proposed ALDP has since been submitted to the Scottish Government Planning and Environmental Appeals Division for Examination in Public. The Proposed ALDP constitutes the Council's settled view as to what the final content of the next adopted ALDP should be and is now a material consideration in the determination of planning applications. The Aberdeen Local Development Plan 2017 will continue to be the primary document against which applications are considered. The exact weight to be given to matters contained in the Proposed ALDP (including individual policies) in relation to specific applications will depend on whether – such matters have or have not received representations as a result of the period of representations in public for the Proposed ALDP; the level of representations received in relation to relevant components of the Proposed ALDP and their relevance of these matters to the application under consideration.

The foregoing can only be assessed on a case-by-case basis. In this case, the following policies within the PALDP are of relevance, however it is noted that there is no fundamental change in the zoning of the land.

- LR1: Land Release Policy
- LR2: Delivery of Mixed-Use Communities
- OP28 and OP33: Greenferns
- WB1: Healthy Developments
- WB2: Air Quality
- WB3: Noise
- WB5: Changing Place Toilets
- NE1: Green Belt
- NE2: Green and Blue Infrastructure
- NE3: Our Natural Heritage
- NE4: Our Water Environment
- NE5: Trees and Woodland
- D1: Quality Placemaking
- D2: Amenity
- D4: Landscape
- D5: Landscape Design
- R2: Degraded and Contaminated Land
- R5: Waste Management Requirements for New Development
- R6: Low and Zero Carbon Buildings, and Water Efficiency
- H1: Residential Areas
- H3: Density
- H4: Housing Mix and Need
- H5: Affordable Housing
- I1: infrastructure Delivery and Planning Obligations
- T2: Sustainable Transport
- T3: Parking
- C11: Digital Infrastructure
- B3: Aberdeen Airport and Perwinnes Radar

EVAULATION

Principle of Development

The site has been identified as OP28 and OP33 (both identified as Greenferns) in the Aberdeen Local Development Plan. OP28, which extends to 13.7 hectares presents an opportunity for 120

homes. The site requires a joint Development Framework with OP33 Greenferns adopted as SG and advises that the site may be at risk of flooding. A Flood Risk Assessment is therefore required to accompany future development proposals. OP33, which extends to 60.4 hectares provides an opportunity for the development of 1350 homes and 10 hectares of employment land on a Council owned site. This site may also be at risk of flooding and a flood risk assessment will be required to accompany any future development proposals for this site. The ALDP also advises that proposals for a Special Needs School and extension to Enermech will need to be accommodated in a masterplan.

The site is zoned as LR1 (Land Release Policy) in the Aberdeen Local Development Plan. This advises that *“Housing and employment development on existing allocated sites and housing sites allocated in Phase 1 (2017-2026) will be approved in principle within areas designated for housing or employment. Development on an allocated site or in close proximity to an allocation that jeopardises the full provision of the allocation will be refused.”*

Policy LR2 advises that *“developments including provision for both housing and employment land will be required to service the employment land along with the associated phases of the housing development. This means that the road, water, gas and electricity infrastructure will need to be considered for the whole site.”*

Parts of the site are designated as “Green Space Network”. Policy NE1 Green Space Network advises that the Council will protect, promote and enhance the wildlife, access, recreation, ecosystem services and landscape value of the Green Space Network, which is identified on the Proposals Map. Proposals for development that are likely to destroy or erode the character and/or function of the Green Space Network will not be permitted.

The red line area has been extended beyond the LDP allocations to include two proposed potential accesses to the site (to the north and south), currently existing tracks. These are located within the Green Belt. Policy NE2 of the ALDP advises: no development will be permitted in the Green Belt for purposes other than those essential for agriculture; woodland and forestry; recreational uses compatible with an agricultural or natural setting; mineral extraction/quarry restoration; or landscape renewal.

OP28 is also designated as a “residential area” within the ALDP. Policy H1 advises that within existing residential areas (H1 on the Proposals Map) and within new residential developments, proposals for new development and householder development will be approved in principle if it: does not constitute over development; does not have an unacceptable impact on the character and amenity of the surrounding area; does not result in the loss of valuable and valued areas of open space. Open space is defined in the Aberdeen Open Space Audit 2010; and complies with Supplementary Guidance.

It goes on to state that, within existing residential areas, proposals for non-residential uses will be refused unless: they are considered complementary to residential use; or it can be demonstrated that the use would cause no conflict with, or any nuisance to, the enjoyment of existing residential amenity

Density

Policy H3 - Density, will seek an appropriate density of development on all housing allocations. Densities should have consideration to the site’s characteristics and those of the surrounding area and should create attractive residential environment and safeguard living conditions within the development. It is noted that the proposal is for 1,650 houses, whilst the LDP allocations are for a total of 1,470. This matter would require to be considered against relevant policies through a formal application.

Policy H4 - Housing Mix advises that housing development, such as that proposed, will be required to achieve an appropriate mix of sizes, which should reflect the accommodation requirements of specific groups. This mix should include smaller 1- and 2-bedroom units and should be reflected in both the market and affordable housing contributions. This approach helps to create mixed and inclusive communities by offering a choice of housing.

Policy H5 - Affordable Housing advises that housing developments such as this will be required to contribute no less than 25% of the total number of units as affordable housing. The requirement will be determined by the proposed number of residential units, will be outlined in the Council's Developer Obligations Assessment and secured by a Legal Agreement.

Layout, Siting and Design

Issues of siting and design will need to be considered against Policy D1 - Quality Placemaking by Design and Policy D2 - Landscape. Both Policy D1 and Policy NE2 require all development to have high standards of design and have a strong and distinctive sense of place which considers the context of the surrounding area and will be required to offer opportunities for connectivity which take in to account the character and scale of the development. Developments that contribute to placemaking will help sustain and enhance the social, economic, environmental and cultural attractiveness of the city. Proposals will be considered against six essential qualities: distinctive, welcoming, safe and pleasant, easy to move around adaptable and resource efficient.

Policy D2 - Landscape requires that developments have a strong landscape framework, which "improves and enhances the setting and visual impact of developments, unifies urban form, provides shelter, creates local identity and promotes biodiversity". Any application must be accompanied by a landscape strategy and management plan, incorporating hard and soft landscaping design specifications.

Developer Obligations

Development must be accompanied by the infrastructure, services and facilities required to support new or expanded communities and the scale and type of developments proposed. Where additional demands on community facilities or infrastructure that would necessitate new facilities or exacerbate deficiencies in existing provision, the Council will require the developer to meet or contribute to the cost of providing or improving such infrastructure or facilities. The level of infrastructure requirements and contributions will be outlined by the Council, through the Developer Obligations Assessment and will relate to the development, in line with Policy I1 - Infrastructure Delivery and Planning Obligations and associated guidance.

Transportation Impacts

With regards to sustainable and active travel, Policies T2 - Managing the Transport Impact of Development and T3 - Sustainable and Active Travel will be used to assess the development. Policy T2 requires all new developments demonstrate that sufficient measures have been taken to minimise traffic generated and to maximise opportunities for sustainable and active travel. A Transport Assessment will be required to support the proposal as would a Travel Plan. Parking requirements are also outlined in the Transport and Accessibility Supplementary Guidance.

Policy T3 requires new developments must be accessible by a range of transport modes, with an emphasis on active and sustainable transport. The internal layout of developments must prioritise walking, cycling and public transport penetration. In addition, links between residential, employment, recreation and other facilities must be protected or improved for non-motorised transport users, making it quick, convenient and safe for people to travel by walking and cycling. With regards to this proposal, links to the site should be looked at from the surrounding road networks.

Open Space and Accessibility

Policy NE4 - Open Space Provision in New Development requires new developments to accommodate an area of open space within the development site. As per the policy the Council require at least 2.8Ha per 1,000 people of meaningful and useful open space. The Supplementary Guidance on Open Space states that open space standards are based on number of residents within a new development, which can be calculated using the average number of people who live in each dwelling. These figures are outlined in the Supplementary Guidance.

Policy NE9 - Access and Informal Recreation advises that developments should include new or improved provision for public access, permeability and/or links to green space for recreation and active travel.

Natural Heritage

Policy NE5 - Trees and Woodlands advises that there is a presumption against all activities and development that will result in the loss of, or damage to, trees and woodlands that contribute to nature conservation, landscape character, local amenity or climate change adaptation and mitigation. It is likely that any application would need to be supported by a Tree Survey Report, Arboricultural Impact Assessment and a Tree Protection and Mitigation Plan. Appropriate measures should be taken to ensure the protection and long-term management of existing trees and new planting both during and after construction.

The protection, preservation and enhancement of natural heritage, in terms of both sites and species, are important aims of both the current and Proposed Plans. As such all new development should seek to protect geodiversity and enhance biodiversity, which may include restoring degraded habitats, and must avoid further habitat fragmentation. Therefore, it is likely that as per the requirements of Policy NE8 - Natural Heritage an Environmental Impact Assessment, which would include various relevant surveys would be required to support the proposal and consider all species, both protected and otherwise.

Noise

Given the location of the development, it is likely that there will be exposure to noise, in particular given the proximity to the flightpath of Aberdeen International Airport. As such and as per the requirements of Policy T5 – Noise, a Noise Impact Assessment (NIA) will be required in support of an application.

Flooding and Drainage

The ALDP aims to manage and reduce flood risk by ensuring that new development does not take place on areas susceptible to flooding and incorporates appropriate and sustainable surface water management measures. As such and as per the wording of both OP28 and OP33 and Policy NE6 - Flooding, Drainage and Water Quality, a Flood Risk Assessment is required to support the development.

Furthermore, a Drainage Impact Assessment (DIA) will also be required to support the proposal. The DIA should detail how surface water and wastewater will be managed. Surface water drainage associated with development must: be the most appropriate available in terms of SuDS; and avoid flooding and pollution both during and after construction.

Other Technical Matters

All new developments should have sufficient space for the storage of general waste, recyclable materials and compostable wastes where appropriate. Flatted developments will require communal facilities that allow for the separate storage and collection of these materials. The commercial/retail aspect of the development shall include recycling facilities, where appropriate.

Details of storage facilities and means of collection must be included as part of a planning application for any development which would generate waste as per the requirement of Policy R6 - Waste Management Requirements for New Development.

Policy B4 (Aberdeen Airport) states that any development falling within safeguarded areas identified on the airport safeguarding map will be subject to consultation with Aberdeen Airport Safeguarding Team. Any proposed development must not compromise the safe operation of the airport. Matters such as the height of buildings, external lighting, landscaping, bird hazard management and impact on communication and navigation equipment will be taken into account in assessing any potential impact.

Policy R2 (Degraded and Contaminated Land) advises that The City Council will require that all land that is degraded or contaminated, including visually, is either restored, reclaimed or remediated to a level suitable for its proposed use.

In terms of low and zero carbon, buildings must meet at least 20% of the building regulations carbon dioxide emissions reduction target applicable at the time of the application through low and zero carbon generating technology. With regards to water efficiency, all new buildings are required to use water saving technologies and techniques. This is a requirement of Policy R7 - Low and Zero Carbon Buildings, and Water Efficiency and details should be submitted with any application or would be requested via condition.

Policy CI1 - Digital Infrastructure requires all new residential and commercial development to have access to modern, up-to-date high-speed communications infrastructure.

Proposed Aberdeen Local Development Plan 2020

The majority of the policies in the Proposed Aberdeen Local Development Plan 2020 substantively reiterate those in the adopted Local Development Plan, apart from Policy D2 - Amenity, which seeks to ensure the provision of an appropriate level of amenity for the development as well as any existing development.

PRE-APPLICATION CONSULTATION

The applicants have proposed a hybrid public consultation strategy. This involved an initial virtual consultation undertaken via a dedicated website; thereafter a more traditional face-to-face public drop in exhibition would be held.

Mailshots were circulated to all properties within a 50m radius of the application site boundary on the 6th June 2022. Ward Councillors were also provided with details of these events and posters and a leaflet drop was undertaken around public buildings and local businesses in close proximity to the site. An advertisement was also placed in the Press and Journal on the week commencing 13th June 2022. On the same day a dedicated consultation website went live, displaying details of: the proposal; the proposed virtual and public events; and how participate, and instruction of how to provide feedback on the proposed development.

The virtual event took place on Tuesday 22nd June 2022 between 3pm and 7pm, with feedback provided up until Friday 29th July 2022, when the initial consultation closed.

NECESSARY INFORMATION TO SUPPORT ANY FUTURE APPLICATION

As part of any application, the applicant has been advised that the following information would need to accompany the formal submission –

- Environmental Impact Assessment
- Pre-Application Consultation Report

- Design and Access Statement
- Flood Risk Assessment
- Ecological Impact Assessment
- Badger Survey
- Drainage Impact Assessment
- Site Survey of Existing Water Features
- Archaeological Survey
- Construction Environment Management Plan
- Transport Assessment
- Travel Plan
- Tree Survey Report, Arboricultural Impact Assessment and Tree Protection and Management Plan
- Landscape Scheme and Maintenance Plans
- Landscape and Visual Impact Assessment
- Low and Zero Carbon Buildings and Water Efficiency Statement
- Affordable Housing Delivery Strategy
- Waste Strategy/ Management Plan

RECOMMENDATION

It is recommended that the Forum –

- a) note the key issues identified;
- b) if necessary, seek clarification on any particular matters; and
- c) identify relevant issues which they would like the applicants to consider and address in any future application.